

SECURITIES AND EXCHANGE COMMISSION

FORM 8-K

Current report filing

Filing Date: **2013-01-09** | Period of Report: **2013-01-09**
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FILER

NBTY INC

CIK:[70793](#) | IRS No.: [112228617](#) | State of Incorporation: **DE** | Fiscal Year End: **0930**
Type: **8-K** | Act: **34** | File No.: [001-31788](#) | Film No.: [13519589](#)
SIC: **2834** Pharmaceutical preparations

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**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549**

FORM 8-K

**CURRENT REPORT
Pursuant to Section 13 or 15(d) of the
Securities Exchange Act of 1934**

Date of report (Date of earliest event reported): **January 9, 2013**

NBTY, Inc.

(Exact Name of Registrant as Specified in Charter)

333-172973

(Commission File Number)

DELAWARE

(State or Other Jurisdiction
of Incorporation)

11-2228617

(I.R.S. Employer
Identification No.)

**2100 Smithtown Avenue
Ronkonkoma, New York**

(Address of Principal Executive Offices)

11779

(Zip Code)

(631) 567-9500

(Registrant's telephone number, including area code)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
 - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
 - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17CFR 240.14d-2(b))
 - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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ITEM 5.02. Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.

Effective January 4, 2013, Hans Lindgren, Senior Vice President-Operations and Corporate Secretary of NBTY, Inc. tendered his resignation from employment with NBTY.

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SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: January 9, 2013

NBTY, Inc.

By: /s/ Christopher Brennan

Christopher Brennan

Senior Vice President-General Counsel

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